

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC # _____ DATE FILED: <u>8/17/10</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER DISASTER SITE  
LITIGATION

X

**ORDER**

21 MC 100 (AKH)

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IN RE WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

21 MC 102

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IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION (STRADDLER PLAINTIFFS)

21 MC 103

X

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ALVIN K. HELLERSTEIN, U.S.D.J.:

In light of my approval of the World Trade Center Litigation Settlement Process Agreement, as Amended (the "Settlement"), and the ongoing settlement discussions among plaintiffs' counsel and counsel for the non-settling defendants, all motions currently pending are withdrawn and terminated without prejudice. Those motions involving the non-settling defendants may be reinstated on notice if and when those parties believe that settlement discussions are no longer fruitful and succeed in vacating the stay.

The document numbers of the motions in the 21 MC 100 docket, as well as the individual docket numbers to which each motion pertains and the document numbers of the motions within those individual dockets, are listed in the attached exhibit. The Clerk shall terminate all motions listed in the exhibit.

SO ORDERED.

Dated: August 13 2010  
New York, New York


  
ALVIN K. HELLERSTEIN  
United States District Judge

EXHIBIT A			
DOCUMENT #	MOTION	MASTER DOCKET	INDIVIDUAL DOCKET #
	<b>Summary Judgment re: Structural Engineer Defendants</b> Briefing regarding Summary Judgment on Behalf of the Structural Engineer Defendants	21 MC 100	
1696	<b>Individual Plaintiff Summary Judgment Motions</b>		
26: Individual, No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Alleva (06 cv 8887)
10: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Ardisson (05 cv 1364)
22: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Briganti (06 cv 3417)
18: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Calderon 06 cv 10267
31: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Cantore (06 cv 10654)
11: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Caruso (06 cv 7962)
29: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Casey (06 cv 8890)
23: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Castro (06 cv 7287)
14: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Fahy (06 cv 9545)
22: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Greco (05 cv 1228)

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
25: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Hauber (05 cv 9141)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Malone (05 cv 4111)
23: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Quinn (04 cv 7903)
9: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Shanahan (05 cv 1410)
14: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Sorrento (06 cv 8547)
10: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Wells (05 cv 1335)
	<b>Individual Plaintiff Immunity Motions</b>		
24: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Michael Alleva	21 MC 100	Alleva (06 cv 8887)
8: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Richard Ardisson	21 MC 100	Ardisson (05 cv 1364)
20: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Vincent Briganti and Roseann Briganti	21 MC 100	Briganti (06 cv 3417)
16: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Richard Calderon and Nitza Calderon	21 MC 100	Calderon 06 cv 10267
29: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs James Cantore and Helen Cantore	21 MC 100	Cantore (06 cv 10654)

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
9: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Calogero Caruso and Denise Caruso	21 MC 100	Caruso (06 cv 7962)
27: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Laron Casey and Ayana Casey	21 MC 100	Casey (06 cv 8890)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Christopher Castro	21 MC 100	Castro (06 cv 7287)
12: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs James Fahy and Irma Fahy	21 MC 100	Fahy (06 cv 9545)
20: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Joseph Greco and Judy Greco	21 MC 100	Greco (05 cv 1228)
23: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Paul Hauber, as Executor of the Estate of Raymond Hauber	21 MC 100	Hauber (05 cv 9141)
19: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Frank Malone	21 MC 100	Malone (05 cv 4111)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff John J. Quinn	21 MC 100	Quinn (04 cv 7903)
7: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Michael and Gorgene Shanahan	21 MC 100	Shanahan (05 cv 1410)
12: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Dawn Sorrento	21 MC 100	Sorrento (06 cv 8547)

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8: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs David Wells and Chyrell Wells	21 MC 100	Wells (05 cv 1335)
	Untimely NOC and SOL Motion		
1815: 21MC100	Memorandum of Law in Support of Motion for Summary Judgment on Behalf of Defendant City of New York Based upon Untimely Notices of Claim and Statute of Limitations	21 MC 100	Alleva (06 cv 8887); Calderon (06 cv 10267); Caruso (06 cv 7962); Castro (06 cv 7287); Galvani (05 cv 10740); Greco (05 cv 1228); Shanahan (05 cv 1410) Sorrento (06 cv 8547)
	Individual Plaintiff Summary Judgment Motions		
15: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Arthur (06 cv 10603)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Cameron (06 cv 9273)
20: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Ferrantello (06 cv 12743)
25: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Grimaldi (06 cv 8692)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Gullo (06 cv 10937)



<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
15: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Honovich (06 cv 11814)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Loughery (06 cv 8609)
23: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Malkoff (06 cv 11710)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Potenza (06 cv 8517)
24: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment on behalf of City of NY and certain Contractors	21 MC 100	Raleigh (06 cv 9818)
	<b>Individual Plaintiff Immunity Motions</b>		
13: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Kenrick Arthur and Valerie Arthur	21 MC 100	Arthur (06 cv 10603)
19: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Carmela Cameron and Steve Cameron	21 MC 100	Cameron (06 cv 9273)
18: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Nicholas Ferrantello and Antonia Ferrantello	21 MC 100	Ferrantello (06 cv 12743)
23: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiff Fernando Grimaldi	21 MC 100	Grimaldi (06 cv 8692)
19: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Frank Gullo and Gabriella Gullo	21 MC 100	Gullo (06 cv 10937)

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
13: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Michael Honovich and Denise Honovich	21 MC 100	Honovich (06 cv 11814)
19: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Jeffrey Loughery and Diane Loughery	21 MC 100	Loughery (06 cv 8609)
21: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Scott Malkoff and Irina Malkoff	21 MC 100	Malkoff (06 cv 11710)
19: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Anthony Potenzo and Mary Potenzo	21 MC 100	Potenzo (06 cv 8517)
22: Individual No 21MC 100 Notice of Motion	Memorandum of Law in Support of Motion for Summary Judgment based on State and Federal Immunity Against Plaintiffs Daniel Raleigh and Jeanne Raleigh	21 MC 100	Raleigh (06 cv 9818)
	<b>Untimely NOC and SOL Motion</b>	21 MC 100	
1985	Memorandum of Law in Support of Motion for Summary Judgment on Behalf of Defendant City of New York Based upon Untimely Notices of Claim and Statute of Limitations	21 MC 100	Arthur (06 cv 10603); Ferrantello (06 cv 12743); Grimaldi (06 cv 8692); Malkoff (06 cv 11710); Potenzo (06 cv 8517); Raleigh (06 cv 9818)
	<b>Godbee related Motions</b>		
31: Individual No 21MC 100 Notice of Motion	Plaintiffs' Partial Summary Judgment Motion and City's Cross- Motion for Summary Judgment re James Godbee	21 MC 100	Godbee (06 cv 6987)

DOCUMENT #	MOTION	MASTER DOCKET	INDIVIDUAL DOCKET #
	<b>Motions filed by Tishman Construction Corp. of NY; Tishman Construction Corp. Of Manhattan</b>		
1748: 21MC100	Motion for Summary Judgment	21 MC 100	Briganti (06CV03417)
1924: 21MC100	Motion for Summary Judgment	21 MC 100	Malkoff (06CV11710)
1917: 21MC100	Motion for Summary Judgment	21 MC 100	O'Loughlin (06CV11775)
1750: 21MC100	Motion for Summary Judgment	21 MC 100	Loughery (06CV08609)
	<b>Motions filed by Philips &amp; Jordan</b>		
1759, 176 (dupe): 21MC100	Summary Judgment	21 MC 100	Alleva (06 cv 8887)
1975: 21MC100	Summary Judgment	21 MC 100	Cameron (06 cv 9273)
1755, 1762(dupe): 21MC100	Summary Judgment	21 MC 100	Cantore (06 cv 10654)
1758, 1769(dupe): 21MC100	Summary Judgment	21 MC 100	Casey (06 cv 8890)
1993: 21MC100	Summary Judgment	21 MC 100	Castro (06 cv 7287)
1757, 1776(dupe): 21MC100	Summary Judgment	21 MC 100	Greco (05 cv 01228)
1961, 1963(dupe): 21MC100	Summary Judgment	21 MC 100	Grimaldi (06 cv 8692)
1981: 21MC100	Summary Judgment	21 MC 100	Gullo (06 cv 10937)
1969: 21MC100	Summary Judgment	21 MC 100	Loughery (06 cv 8609)
1987: 21MC100	Summary Judgment	21 MC 100	Raleigh (06 cv 9818)
	<b>Motions filed by Survivor</b>		
1850: 21MC100	Memorandum of Law in Support of Motion for Summary Judgment on Behalf of Defendant Survivor	21 MC 100	05CV01228, 05CV10740, 05CV01335, 06CV08887, 06CV09273, 06CV08609, 06CV08692, 06CV10603,
1930: 21MC100	Memorandum of Law in Support of Motion for Summary Judgment on Behalf of Defendant Survivor	21 MC 100	06CV09818, 06CV08517, 06CV09273, 06CV08609, 06CV08692, 06CV10603,
2008: 21MC100	Memorandum in Support of Motion for Summary Judgment on Behalf of Defendant Survivor	21 MC 100	Applied to all cases in the 21 MC 100 Docket



DOCUMENT #	MOTION	MASTER DOCKET	INDIVIDUAL DOCKET #
	<b>Motions filed by Evans Environmental - signatory to the motions for summary judgment filed on behalf of the City and its contractors on the basis of Federal and State immunity doctrines.</b>		
16: Individual 1747: 21MC100	Motion for Summary Judgment (Alleva)	21 MC 100	06 CV 8887
17: Individual 1784: 21MC100	Motion for Summary Judgment (Cantore)	21 MC 100	06 CV 10654
11: Individual 1798: 21MC100	Motion for Summary Judgment (Castro)	21 MC 100	06 CV 7287
16: Individual 1790: 21MC100	Motion for Summary Judgment (Casey)	21 MC 100	06 CV 8890
10, 12: Individual 1772: 21MC100	Motion for Summary Judgment (Greco)	21 MC 100	05 CV 1228
No Individual Notice of Motion No 21MC 100 Notice of Motion	Motion for Summary Judgment (Cameron)	21 MC 100	06 CV 9273
No Individual Notice of Motion No 21MC 100	Motion for Summary Judgment (Grimaldi)	21 MC 100	06 CV 8692
No Individual Notice of Motion No 21MC 100	Motion for Summary Judgment (Gullo)	21 MC 100	06 CV 10937
No Individual Notice of Motion No 21MC 100	Motion for Summary Judgment (Loughery)	21 MC 100	06 CV 8609
No Individual Notice of Motion No 21MC 100	Motion for Summary Judgment (Raleigh)	21 MC 100	06 CV 9818
	<b>Motions filed by Taylor Recycling</b>		
1826: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 09818
1824: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 08692
1820: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 09273

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
1825: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 08609
1831: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 07287
1821: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 10654
1783: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 08887
1823: 21MC100	Motion for Summary Judgment	21 MC 100	05 cv 01228
1822: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 8890
1947: 21MC100	Motion for Summary Judgment	21 MC 100	06 cv 10937
	<b>Motions filed by Port Authority of New York and New Jersey</b>		
1693: Notice of Motion	Motion For Summary Judgment Dismissing Complaints Against The Port Authority For Lack of Subject Matter Jurisdiction Under	21 MC100	This Document Applies To All Cases

DOCUMENT #	MOTION	MASTER DOCKET	INDIVIDUAL DOCKET #
1693: Notice of Motion	Continued: Motion For Summary Judgment Dismissing Complaints Against The Port Authority For Lack of Subject Matter Jurisdiction Under New York Unconsolidated Laws § 7107	21 MC100	06-CV-12743 06-CV-10933 06-CV-10937 06-CV-11710 06-CV-11775 06-CV-12001 06-CV-11016 06-CV-12310 06-CV-11786 06-CV-13624 07-CV-5213 07-CV-4185 06-CV-14721 06-CV-14027 06-CV-15034 07-CV-7118 06-CV-14817 07-CV-74999 07-CV-4213 08-CV-1742 07-CV-10773 08-CV-00739 07-CV-10924 08-CV-00828 08-CV-4667 08-CV-1787

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
2119: Notice of Motion	Motion for Summary Judgment Dismissing A1, A2, A3, B1, and B2 Plaintiffs' Labor Law, Common Law Negligence, and General Municipal Law Claims against The Port Authority of New York And New Jersey	21 MC100	05-CV-01364 06-CV-03417 05-CV-10740 05-CV-01228 06-CV-07962 06-CV-07287 05-CV-1410 05-CV-01335 06-CV-08887 06-CV-10267 06-CV-10654 06-CV-08890 06-CV-09545 06-CV-08547
1777: Notice of Motion	Motion for Summary Judgment Dismissing Claims of A1, A2, A3, B1, and B2 Plaintiffs Pursuant to the New York State Defense	21 MC100	05-CV-01364 06-CV-03417

<b>DOCUMENT #</b>	<b>MOTION</b>	<b>MASTER DOCKET</b>	<b>INDIVIDUAL DOCKET #</b>
1962: Notice of Motion 1967: Notice of Motion (dupe)	Motion for Summary Judgment Dismissing C1 and B3 Plaintiffs' Labor Law, Common Law Negligence, and General Municipal Law Claims Against The Port Authority of New York And New Jersey	21 MC 100	06-CV-12743 06-CV-10937 06-CV-11710 06-CV-10603 06-CV-09273 06-CV-08692 06-CV-08609 06-CV-08517 06CV-09818
1997: Notice of Motion	Motion for Summary Judgment Dismissing Claims of C1 And B3 Plaintiffs Pursuant to the New York State Defense Emergency Act	21 MC 100	06-CV-12743 06-CV-10937 06-CV-11710 06-CV-10603 06-CV-09273 06-CV-08692 06-CV-08609 06-CV-08517 06CV-09818
	<b>Motions filed by Plaintiffs</b>		
	Motion to Compel Production of Documents Withheld under Improper Claims of Privilege		
1782: 21MC100		21 MC 100	



DOCUMENT #	MOTION	MASTER DOCKET	INDIVIDUAL DOCKET #
1763: 21MC100	Motion for Sanctions Pursuant to FRCP 37 for the City of New York's Admitted Suppression of Evidence for Six Years	21 MC 100	Godbee (06 cv 6987)
1700: 21MC100 28: Individual	Godbee Motion for Partial Summary Judgment	21 MC 100	
2038: 21MC100	Godbee Motion Regarding Stay	21 MC 100	Godbee (06 cv 6987)